**EXHIBIT A** 

### Commonwealth Court of Pennsylvania

<b>Docket Numb</b>	er:	:
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916 MD 2002

Page 1 of 12 July 18, 2007

Peter Vega, Petitioner

٧.

Jeffrey A. Beard, Secretary Pennsylvania Department of Corrections, Ben Varner, Superintendent SCI Smithfield,

et al.

Respondents

Initiating Document:

Petition for Review

Case Status:

Active

Case Processing Status:

February 24, 2003

Awaiting Consideration

Journal Number:

SP-1219-2003

SP-49-2007

Case Category:

Miscellaneous

CaseType:

Inmate Petition for Review

Consolidated Docket Nos.:

Related Docket Nos.:

**COUNSEL INFORMATION** 

Petitioner

Vega, Peter

Pro Se: ProSe

Appoint Counsel Status:

IFP Status:

Attorney:

Vega, Peter

Law Firm:

Address:

SCI-Mahanoy, AY-8402

301 Morea Road Frackville, PA 17932

Phone No.:

Respondent

Beard, Jeffrey A.

Pro Se:

Appoint Counsel Status:

IFP Status:

Attorney:

Robinson, Alan Matthew

Law Firm:

Address:

PA Dept of Corrections

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7/18/2007

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### Commonwealth Court of Pennsylvania

**Docket Number:** 

916 MD 2002

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55 Utley Drive

Camp Hill, PA 17011 Phone No.: (717)731-0444

Respondent

Beard, Jeffrey A.

Pro Se:

Appoint Counsel Status:

IFP Status:

Attorney:

Mark, Timothy I.

Law Firm: PA Department of Corrections
Address: Dept of Corrections Office

55 Utley Drive

Camp Hill, PA 17011-8028 Phone No.: (717)731-0444

Respondent

Varner, Ben

Pro Se:

Appoint Counsel Status:

IFP Status:

Attorney:

Varner, Ben

Law Firm:

Address:

Superintendent, SCI- Smithfield

P O Box 999 1120 Pike Street

Huntingdon, PA 16652

Phone No.:

#### TRIAL COURT/AGENCY INFORMATION

Court Below:

Department of Corrections

County:

Division:

Date of Order Appealed From:

Judicial District:

Date Documents Received:

November 27, 2002 Date Notice of Appeal Filed:

Order Type:

FACINIA Material and a con-

12:48 P.M.

### **Miscellaneous Docket Sheet**

# Commonwealth Court of Pennsylvania

**Docket Number:** 

916 MD 2002

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**ORIGINAL RECORD CONTENTS** 

**BRIEFING SCHEDULE** 

7/18/2007

# Commonwealth Court of Pennsylvania

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**Docket Number:** 

916 MD 2002

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	Do	OCKET ENTRIES	
Filed Date	Docket Entry/Document Name	Party Type	Filed By
November 27, 2002	Petition for Review Filed		
		Petitioner	Vega, Peter
	Send Back for Correction	<del></del>	
December 3, 2002			
	Need PLRA forms completed		
			Commonwealth Court Filing Office
December 10, 2002	Praecipe for Appearance	<del></del>	
	Praecipe for Appearance Robinson, Ala	an Matthew	
		Respondent	Beard, Jeffrey A.
December 12, 2002	Complied with Sendback		
	check provided		
		Petitioner	Vega, Peter
December 13, 2002	Order Filed		
	This matter shall be treated as a PFR a	addressed to this Court's	s original jurisdiction.
			Per Curiam
January 8, 2003	Preliminary Objections		
		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
January 9, 2003	Order Filed		
, , ====	Petitioner shall serve his PFR on resp.	& A.G. & file proof of sa	ame by 1/24/03 or this matter wil be
		· •	Per Curiam
lismissed as of course.	Resp. may file additional P.O.'s within 44	days of this order if pe	
January 9, 2003	Letter		
	Documents returned for improper service	ce.	

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Hostutler, Charles R.

### Commonwealth Court of Pennsylvania

**Docket Number:** 

916 MD 2002

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January 23, 2003	Exhibit						
	To Petition for Review in partial compliance with 1/9/03 order.						
		Petitioner	Vega, Peter				
January 28, 2003	Dismissed		<del></del>				
his matter is dismissed	due to petitioner's failure to comply woth this	court's 1/9/03 order.	Per Curiam				
February 20, 2003	Application for Reconsideration						
	Of order dismissing case.						
		Petitioner	Vega, Peter				
February 24, 2003	Order Granting Application for Reconsidera	tion					
	This Court's order of 1/28/03 is VACATED	& the PFR is reinsta	ted. Resp.'s shall file any additional				
			Per Curiam				
P.O.'s or answer to the	PFR by 3/27/03.		<del> </del>				
March 25, 2003	Preliminary Objections						
		Respondent	Beard, Jeffrey A.				
		Respondent	Varner, Ben				
March 27, 2003	Order Filed						
	Resp.'s are directed to promptly serve a co	py of their P.O.s on	petitioner at his current address				
			Per Curiam				
at SCI-Mahanoy & file	prrof of same by 4/7/03.						
April 2, 2003	Praecipe						
	To Substitute new address for petitioner.						
		Respondent	Beard, Jeffrey A.				
		Respondent	Varner, Ben				
April 24, 2003	Application for Extension of Time to File						
	A response to P.O.'s.						

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		Petitioner	Vega, Peter
April 25, 2003	Order Granting Application for Extension of Ti	me to File	
	Response to Resp.'s P.O.'s		
			Per Curiam
May 29, 2003	Answer to Preliminary Objections		<del></del>
		Petitioner	Vega, Peter
June 2, 2003	Order Sustaining Preliminary Objections		
	Petitioner shall file an amended PFR by 7/3/0	3.	
			Per Curiam
June 4, 2003	Amended		<del></del>
	Answer to P.O.'s.		
		Petitioner	Vega, Peter
July 22, 2003	Amended		
	Amended PFR in compliance with this Court's	6/02/03 order.	
		Petitioner	Vega, Peter
July 24, 2003	Order Filed		
	Resp. is directed to respond to the amended	PFR by 8/25/03.	
			Per Curiam
August 25, 2003	Preliminary Objections		
	To Amended Petition for Review.		
		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
August 29, 2003	Submitted on Brief		

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	Resp.'s P.O.'s shall be submitted on briefs	. Resp.'s supporting	brief (15) is due 9/29/03 &			
			Per Curiam			
etitioner's opposing bri	ef (15) is due 10/29/03.					
September 29, 2003	Application for Extension of Time to File Brief - First Request					
	To file brief in support of P.O.'s.					
		Respondent	Beard, Jeffrey A.			
		Respondent	Varner, Ben			
October 1, 2003	Order Granting Application for Extension o	f Time to File Brief	<del></del>			
	Resp.'s brief (15) supporting P.O.'s due 10/20/03; petitioner's opposing brief (15) is due 11/19/03.					
			Per Curiam			
October 20, 2003	Respondent's Brief Filed					
	Supporting Preliminary Objections					
		Respondent	Beard, Jeffrey A.			
		Respondent	Varner, Ben			
November 13, 2003	Petitioner's Brief Filed					
	In opposition to PO's					
		Petitioner	Vega, Peter			
March 24, 2004	Opinion					
	The preliminary objection in the nature of a	a demurrer is overrul	ed and Respondents are directed to			
			Cohn, Renee L.			
	days of entry of this order. Petitioner's motio Dissenting Opinion. Opinion (17 pgs)	n for leave to amend	d is dismissed as moot. Friedman, J			
April 23, 2004	Application for Extension of Time to File					
	Answer to Petition for Review.					
		Respondent	Beard, Jeffrey A.			
		Respondent	Varner, Ben			
April 28, 2004	Order Granting Application for Extension c	f Time to File				
7.p.11.20, 2004	S. S					

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# Commonwealth Court of Pennsylvania

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May 12, 2004	Answer Filed		Per Curiam
May 12 2004	Answer Filed		
Way 12, 2004			
	To Amended PFR with New Matter.		
		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
June 17, 2004	Application for Extension of Time to File		
	To respond to resp.'s answer to amended pet.	for review with n	ew matter.
		Petitioner	Vega, Peter
June 22, 2004	Order Granting Application for Extension of Tir	ne to File	
	Reply to new matter to 7/12/04.		
			Per Curiam
March 29, 2005	Application for Relief		
	Second request for production of documents.		
		Petitioner	Vega, Peter
July 14, 2005	Report Filed		
	First set of interrogatories to respondents		
		Petitioner	Vega, Peter
August 3, 2005	Report Filed	<del>-, -</del>	
	2nd set of interrogatories to respondents.		
		Petitioner	Vega, Peter
August 8, 2005	Praecipe for Appearance	<del></del> _	
	Praecipe for Appearance of Timothy I. Mark, E	isq.	
		Respondent	Beard, Jeffrey A.

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			<del></del>
August 8, 2005	Application for Protective Order		
	& Stay of Discovery.		
		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
August 10, 2005	Order Denying Application for Protective Order		
	& Stay of Discovery. Resp. may object to the	form of petitioner	's interrogatories.
			Per Curiam
September 16, 2005	Application for Relief		
	Motion for order to compel resopndents to ans	wer interrogatorie	es.
		Petitioner	Vega, Peter
September 19, 2005	Order Granting Application for Relief		
	Petitioner's motion for order to compel resps. to	o answer interrog	atories is granted & resps. are
			Per Curiam
directed to answer inter	rogatories by 10/4/05.		
September 21, 2005	Application for Stay		
, ,	Of Discovery.		
	,	Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
September 21, 2005	Application for Clarification		
	Of 8/10/05 order.		
		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
 September 26, 2005	Order Filed		<del></del>

Thic court's 9/19/05 order is vacated. Resp.'s objections to petitioner's 1st & 2nd sets of

Per Curiam

interrogatories are sustained & resps. need not respond to said interrogatories. This order is issed without prejudice to petitioner to file additional complying interrogatories.

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### Commonwealth Court of Pennsylvania

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# Page 10 of 12 July 18, 2007

June 30, 2006	Report Filed		
	3rd set of interrogatories to respondents.		
		Petitioner	Vega, Peter
June 30, 2006	Application for Relief		
	Third request for production of documents.		
		Petitioner	Vega, Peter
October 3, 2006	Motion for Summary Judgment		
		Petitioner	Vega, Peter
October 3, 2006	Petitioner's Brief Filed		
	Supporting Motion for Summary Judgment		
		Petitioner	Vega, Peter
October 4, 2006	Submitted on Brief		
October 4, 2006	Petitioner's mot. for summary judg. is submitted	ed on hriefs: resn	brief is due by 11/3/06
	r endoner's mot. for summary judg. is submitted	ed on bheis, resp	Per Curiam
			rei Culialli
October 30, 2006	Application for Extension of Time to File Brief	- First Request	
000000.00, 2000		Respondent	Beard, Jeffrey A.
		Respondent	Varner, Ben
	Outline Outline Applied Co. Co. Co. Co.		
November 1, 2006	Order Granting Application for Extension of T		
	Petitioner's motion for summary judgment is o	tue by 12/4/06.	
			Per Curiam
November 6, 2006	Answer to Application for Extension		
,	To file brief.		
		Petitioner	Vega, Peter

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### Commonwealth Court of Pennsylvania

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916 MD 2002

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November 22, 2006 Motion for Judgment on the Pleadings

& Suggestion of Mootness.

Respondent B

Beard, Jeffrey A.

Respondent

Varner, Ben

November 27, 2006 C

Order Filed

Petitioner is directed to file an answer to resps.' suggestion of mootness by 12/12/06. The

Per Curiam

briefing schedule is stayed pending disposition of same.

December 5, 2006 Answ

Answer Filed

to Resp.'s Suggestion of Mootness in compliance with this Court's 11/27/06 order...

Petitioner

Vega, Peter

December 5, 2006

Order Directing Submission on Brief

Resp.'s suggestion of mootness & mot. for judgment on the pleadings shall be submitted on briefs

Per Curiam

with petitioner's motion for summary judgment. Resp.'s brief is due 1/4/07; petitioner may file a supplemental brief addressing resp.'s motion by 1/18/07.

December 21, 2006

Respondent's Brief Filed

In opposition to motion for summary judgment and in support of suggestion of mootnes

Respondent

Varner, Ben

Respondent

Beard, Jeffrey A.

January 17, 2007

Petitioner's Reply Brief Filed

Petitioner

Vega, Peter

**SESSION INFORMATION** 

Journal Number:

SP-49-2007

Consideration Type:

Submitted on Briefs

Date Listed/Submitted: 1/26/07

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#### **Miscellaneous Docket Sheet**

### Commonwealth Court of Pennsylvania

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**DISPOSITION INFORMATION** 

Related Journal Number:

Judgment Date:

1/28/2003

Date:

Disposition Category:

Disposed Before Decision

Disposition Author:

Per Curiam

Disposition:

Dismissal

Disposition Date:

1/28/2003

February 24, 2003

Dispositional Comments:

this matter is dismissed due to petitioner's failure to comply woth this court's 1/9/03 order.

Dispositional Filing:

Author:

Filed Date:

REARGUMENT/RECONSIDERATION/REMITTAL

Reargument/Reconsideration Filed Date: February 20, 2003

Reargument Disposition: Reconsideration/Reargument Granted

Record Remitted:

Case 1:05-cv-00125-SJM-SPB Document 86-2 Filed 07/19/2007 Page 14 of 55

# **EXHIBIT B**

### IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Keith Fisher,

Petitioner

.

v. : No. 514 M.D. 2005

: Submitted: May 9, 2007

Commonwealth of Pennsylvania,

Department of Corrections,

BEFORE:

Respondent

HONORABLE BONNIE BRIGANCE LEADBETTER, President Judge

HONORABLE JAMES GARDNER COLINS, Judge HONORABLE BERNARD L. McGINLEY, Judge

HONORABLE DAN PELLEGRINI, Judge

HONORABLE ROCHELLE S. FRIEDMAN, Judge

HONORABLE ROBERT SIMPSON, Judge

HONORABLE MARY HANNAH LEAVITT, Judge

OPINION BY JUDGE PELLEGRINI FILED: June 8, 2007

Before this Court in our original jurisdiction are an application for summary relief filed *pro se* by Keith Fisher (Fisher) and a motion for judgment on the pleadings filed by the Department of Corrections (Department) involving Fisher's petition for review claiming that the Department is illegally withdrawing money from his inmate account.

The following facts are undisputed. Fisher was incarcerated at the State Regional Correctional Facility (SRCF) at Mercer, Pennsylvania, and on May 26, 2005, the Court of Common Pleas of Beaver County (trial court) issued an Order/Notice to Withhold Income for Support (Support Order) directing the Department, through SRCF Mercer, to withhold \$288 per month from Fisher's

income. The order specified that it was to be deducted from pay cycles, and it was limited to money earned. To carry out the Support Order, the Department started deducting that amount from his inmate account by applying DC-ADM 005 "Collection of Inmate Debts" (Policy). However, in doing so, it applied the Policy's definition of "income," which included "all funds credited to an inmate's account regardless of source," rather than the definition of "income" as used in the Support Order or in the Domestic Relations Code (Code).<sup>2</sup>

Because Fisher did not owe Act 84<sup>3</sup> or Crime Victim Compensation or Victim/Witness Services fees, the Department took the position that the Policy permitted it to attach a maximum of 50% of the balance in his inmate account as long as it remained above \$10. As of September 2005, Fisher had received \$14.40 in income and \$300 as personal monetary gifts. Although Fisher had accumulated a

<sup>&</sup>lt;sup>1</sup> The only exceptions are refunds of commissary purchases, refunds of purchases initiated through the facility, money sent to the inmate for payment of a private viewing/deathbed visit, Social Security Disability payments and Veterans Administration benefits.

<sup>&</sup>lt;sup>2</sup> Section 4302 of the Code, 23 Pa. C.S. §4302, defines "income" as "compensation for services, including but not limited to, wages, salaries, bonuses, fees, compensation in kind, commissions and similar items; income derived from business; gains derived from dealings in property; interest; rents; royalties; dividends; annuities; income from life insurance and endowment contracts; all forms of retirement; pensions; income from discharge of indebtedness; distributive share of partnership gross income; income in respect of a decedent; income from an interest in an estate or trust; military retirement benefits; railroad employment retirement benefits; social security benefits; temporary and permanent disability benefits; workers' compensation; unemployment compensation; other entitlements to money or lump sum awards, without regard to source, including lottery winnings; income tax refunds; insurance compensation or settlements; awards or verdicts; and any form of payment due to and collectible by an individual regardless of source."

<sup>&</sup>lt;sup>3</sup> According to Section 9728 of the Pennsylvania Sentencing Code, 42 Pa. C.S. §9728, Act 84 fees are attributable to restitution, costs and fines related to an inmate's criminal case.

Fisher filed a petition for review in our original jurisdiction alleging that the Department was taking funds to satisfy the Support Order from gifts that he received while it only authorized the Department to garnish "income' as that term is defined by Section 4302 of the Code, which did not include gifts. By doing so, he claimed that the Department violated his due process rights under the Fourteenth Amendment of the United States Constitution<sup>4</sup> and Article I of the Pennsylvania Constitution<sup>5</sup> because it was taking money from his account without authority of law. He requested that the Department be enjoined from withholding funds from his inmate account until it determined the source of those funds were not gifts.

The Department then filed preliminary objections contending that Fisher failed to exhaust his administrative remedies through the inmate grievance procedure. After its preliminary objections were dismissed, in its answer and new matter, it alleged that the Policy was fully consistent with the Code and allowed a deduction

<sup>&</sup>lt;sup>4</sup> U.S. Const. amend. XIV, §1.

<sup>&</sup>lt;sup>5</sup> Pa. Const. art. I, §1.

from Fisher's inmate account no matter what the source, including gifts, to satisfy a debt.

Fisher then filed an application for summary relief, and the Department filed a motion for judgment on the pleadings, both of which are before us.<sup>6</sup> In his application for summary relief, Fisher contends as he did in his petition that he is entitled to summary relief because the Department is illegally seizing more than "income" as dictated by the Support Order by seizing funds in his account that came from gifts, thereby violating his due process rights.8

Correspondingly, the Department argues that it is complying with the Support Order because its Policy considers all of the funds in an inmate account to be

<sup>&</sup>lt;sup>6</sup> Summary relief is proper where the moving party establishes the case is clear and free from doubt, there are no genuine issues of material fact to be tried, and the movant is entitled to judgment as a matter of law. Detar v. Beard, 898 A.2d 26 (Pa. Cmwlth. 2006). When ruling on a motion for judgment on the pleadings in our original jurisdiction, we must view all of the opposing party's allegations as true, and only those facts that the opposing party has specifically admitted may be considered against the opposing party. We may only consider the pleadings themselves and any documents properly attached thereto. Tulio v. Beard, 858 A.2d 156 (Pa. Cmwlth, 2004). A party's motion for judgment on the pleadings will only be granted when there is no issue of material fact and the moving party is entitled to judgment as a matter of law. Montgomery County v. Department of Corrections, 879 A.2d 843 (Pa. Cmwlth. 2005); Milton S. Hershey Medical Center of Pennsylvania State University v. Commonwealth, 788 A.2d 1071 (Pa. Cmwlth. 2001).

<sup>&</sup>lt;sup>7</sup> If he was attempting to challenge the terms of the order, Fisher would have to bring a "petition for modification or termination of an existing support order [based on a] . . . material and substantial change in circumstances." Pa. R.C.P. No. 1910.19. See also Pa. R.C.P. No. 1910.21.

<sup>&</sup>lt;sup>8</sup> A prisoner has a property interest in his inmate account. *Buck v. Beard*, 583 Pa. 431, 879 A.2d 157 (2005).

"income." including monetary gifts which are commingled with other funds. It contends that the Policy's definition of "income" is reasonably related to the legitimate penological interest of ensuring that inmates meet their financial obligations, and that it would be administratively difficult to track the source of funds to ensure that only "income" as defined by Section 4302 of the Code is withheld.

While it may be administratively difficult for the Department to track "income' from other funds in an inmate account, administrative difficulty does not give it jurisdiction to supplant the Support Order and the Code by applying the Policy's definition of "income" in complying with the Support Order. Department has only one interest in court orders and that is to carry them out as written, not the way it believes they should have been written or the way the law should have been written. The Support Order was clear that it only sought attachment of Fisher's funds derived from "income," which does not include gifts. Because the Department was collecting income from Fisher's inmate account that was not in accordance with the Support Order or the Code, Fisher's application for summary relief is granted, and the Department's motion for judgment on the pleadings is denied.9

<sup>&</sup>lt;sup>9</sup> The dissent claims that the majority is allowing an "end run" against established procedures because Fisher can seek modification of his support order under Pa. R.C.P. No. 1910.19 as he has no verifiable assets. While Fisher may not have sufficient income to support the order, under the Rules of Civil Procedure governing support orders, seeking a modification is optional, and the decision to do so rests solely with the obligee. An inmate may not want to seek a modification because he may believe that he will have sufficient income when released to satisfy back due support. Moreover, if the Rules of Civil Procedure governing support orders wanted all support orders against an inmate suspended, they would have so provided.

What Fisher is seeking in this case is to prevent the Department from engrafting its own Policy on the court order. Say Fisher decided in his discretion to file for a modification. The trial (Footnote continued on next page...)

DAN	PELI	EGRIN	I, JU	DGE	

President Judge Leadbetter concurs in the result only.

(continued...)

judge, following the General Assembly's lead (42 Pa. C.S. §9728) that an inmate should pay part of his obligation no matter what, refuses. We would still be left with the Department contending that it had a right under the Policy to withhold from all funds, no matter what the source and no matter that the Support Order only allows income to be withheld. The majority is not sanctioning an "end run" around a procedure, but tackling the issue presented by not allowing the Department to trample the plain terms of a court order.

# IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Keith Fisher,

Petitioner

v.

: No. 514 M.D. 2005

Commonwealth of Pennsylvania, Department of Corrections,

Respondent

### ORDER

AND NOW, this 8th day of June, 2007, Keith Fisher's application for summary relief is granted, and the Department of Corrections' motion for judgment on the pleadings is denied. The Department of Correction is ordered to cease using the definition of income found in DC-ADM 005 and to use the definition of income found in 23 Pa. C.S. §4302 in determining income for purposes of complying with the order dated May 26, 2005, of the Court of Common Pleas of Beaver County.

DAN PELLEGRINI, JUDGE

### IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Keith Fisher.

Petitioner

: No. 514 M.D. 2005 v.

: Submitted: May 9, 2007

**FILED: June 8, 2007** 

Commonwealth of Pennsylvania,

Department of Corrections,

Respondent

HONORABLE BONNIE BRIGANCE LEADBETTER, President Judge **BEFORE:** 

> HONORABLE JAMES GARDNER COLINS, Judge HONORABLE BERNARD L. McGINLEY, Judge

HONORABLE DAN PELLEGRINI, Judge

HONORABLE ROCHELLE S. FRIEDMAN, Judge

HONORABLE ROBERT SIMPSON, Judge

HONORABLE MARY HANNAH LEAVITT, Judge

DISSENTING OPINION BY JUDGE SIMPSON

I respectfully dissent from the decision to allow a prison inmate to challenge enforcement of a support order outside the framework of the Supreme Court's rules governing actions for support, Pa. R.C.P. Nos. 1910.1 – 1910.50. Because these rules provide an adequate remedy at law for the inmate here and provide a forum for the inmate's two obligees, I would deny summary relief to the inmate and grant judgment on the pleadings to the Department of Corrections (DOC).

It is uncontested that this case involves enforcement of a valid support order issued by the Court of Common Pleas of Beaver County (trial court) to DOC to withhold \$288 per month from the income of a state prison inmate, Keith Fisher. In addition, it is clear that the relief sought by the inmate is to reduce the amount of money taken from his prison account and sent to the trial court, for ultimate distribution to the inmate's obligees. Further, it is uncontested that the inmate's obligees are not parties before this Court, and they have not been afforded any opportunity to be heard before judgment ordered by the majority.

Among DOC's arguments is that the inmate failed to avail himself of adequate remedies at law, thereby precluding relief in equity or for mandamus. In particular, DOC contends the inmate failed to seek modification of his support orders while in prison, as now allowed by Pa. R.C.P. No. 1910.19 (f).

I agree with this argument. The new provision allows a trial court to modify or terminate a charging support order and remit any arrears if "the obligor is unable to pay, has no known income or assets and there is no reasonable prospect that the obligor will be able to pay in the foreseeable future." Pa. R.C.P. No. 1910.19 (f) (2). Importantly, the procedure requires notice to any obligee and an opportunity to The Explanatory Comment—2006 addresses the new provision and be heard. provides in pertinent part, "Likewise, an obligor with no verifiable assets whose ... incarceration ... precludes the payment of support renders the support order unenforceable and uncollectible, diminishing the perception of the court as a source of redress or relief."

In a footnote, the majority dismisses this contention by suggesting that the inmate is not attempting to challenge the terms of the support order. I disagree. The inmate seeks to have the amount DOC withdraws from his inmate account reduced to zero. Thus, the practical effect of the majority's opinion is to render the

support order ineffective. I strongly believe that any procedure which renders a trial court's support order ineffective should begin in the trial court and should include the obligees, consistent with the Supreme Court's rules.

There is another reason why I cannot endorse the result reached by the majority. Under the majority's decision, no payments will be made to the underlying support orders. Thus, arrearages increase for the inmate. As a result, the underlying obligations are never dealt with, problems multiply, and the perception of the courts as a source of redress is diminished. This makes no sense.

There are other arguments made by DOC that have merit, but all the other issues can be resolved by a proceeding in the trial court which involves the obligees. The trial court can then determine whether the inmate has any assets, from what source amounts came into the inmate's account, and whether, as DOC contends here, the inmate manipulated his inmate account with discretionary purchases to frustrate payment of support.

In sum, I would not permit an end run around a comprehensive set of procedures for establishing and enforcing support. I would require the inmate to seek all relief from the trial court and not from this Court. Accordingly, I would deny summary relief to the inmate and grant DOC's motion for judgment on the pleadings, without prejudice to the subsequent petitions in the trial court.

ROBERT SIMPSON, Judge

Judge Leavitt joins in this dissent.

Case 1:05-cv-00125-SJM-SPB Document 86-2 Filed 07/19/2007 Page 25 of 55

# **EXHIBIT C**

# IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

KEITH FISHER,

Petitioner / Appellee, No. MAP 2007

(Cmwlth Ct. No. 514 M.D. 2005) ٧.

**COMMONWEALTH OF** PENNSYLVANIA, DEPARTMENT

OF CORRECTIONS,

Respondent / Appellant

### JURISDICTIONAL STATEMENT

(Pursuant to Pa. R.A.P. 909, 910)

The Respondent / Appellant, the Commonwealth of Pennsylvania, Department of Corrections, by and through its attorney, Timothy I. Mark, Deputy Chief Counsel, Office of Chief Counsel, hereby files this jurisdictional statement pursuant to Pa. R.A.P. 909 and 910 in support of the notice of appeal filed this date and, in support thereof, sets forth the following:

1. This is an appeal from the order entered in the above-captioned matter on the 8th day of June, 2007 by the Commonwealth Court sitting en banc. This action was initially commenced within that court's original jurisdiction. The opinion and order are appended to this jurisdictional statement as Appendix A. Although there is no A.2d citation presently available, it may be obtained at *Fisher* 

- v. Com., Department of Corrections, 2007 Pa. Commw. LEXIS 306 (Pa. Commw. Ct., No. 514 M.D. 2005, filed June 8, 2007).
- 2. The jurisdiction of the Supreme Court to hear this appeal is based upon the following factors:
  - a. Section 9 of Article V of the Pennsylvania Constitution, which provides for a right of appeal from a court of record to an appellate court;
  - b. Section 723 of the Judicial Code, 42 Pa. C.S. § 723, which provides in pertinent part that "[t]he Supreme Court shall have exclusive jurisdiction of appeals from final orders of the Commonwealth Court entered in any matter which was originally commenced in the Commonwealth Court ...."
  - c. Rule 1101 of the Pennsylvania Rules of Appellate Procedure, which provides in pertinent that there is an appeal as of right to the Supreme Court of Pennsylvania from "any matter which was originally commenced in the Commonwealth Court...."

3. The text of the June 8, 2007 Commonwealth Court order:

AND NOW, this 8th day of June, 2007, Keith Fisher's application for summary relief is granted, and the Department of Corrections'motion for judgment on the pleadings is denied. The Department of Corrections is ordered to cease using the definition of income found in DC-ADM 005 and to use the definition of income found in 23 Pa. C.S. § 4302 in determining income for purposes of complying with the order dated May 26, 2005, of the Court of Common Pleas of Beaver County.

# /s/ Dan Pellegini DAN PELLEGRINI, JUDGE

- 4. The relevant procedural history of this case is as follows:
- Appellee filed a Petition for Review addressed to the original a. jurisdiction of the Commonwealth Court on October 7, 2005.
- b. Appellant filed preliminary objections, which were overruled on November 29, 2005.
  - Appellant filed an answer with new matter. c.
- d. Appellee filed preliminary objections to the answer and new matter.
- The court overruled Appellee's preliminary objections on e. January 18, 2006.
- f. On February 9, 2006 the court granted Appellee's request for an extension of time to file an answer to Appellant's new matter.
  - Appellee filed an answer to the new matter. g.

- h. Appellee filed an application for summary relief and Appellant filed a motion or judgment on the pleadings and on May 3, 2006 both filings were directed to be submitted on brief for disposition.
  - i. Both parties filed briefs.
- j. The court, sitting *en banc*, issued its final order on June 8, 2007, granting Appellee's application for summary relief and denying Appellant's motion for judgment on the pleadings.
- k. Appellant filed a timely notice of appeal with this Honorable Court.
- 5. The precise questions presented for review are a follows:
- a. For purposes of collection of court-ordered child support arrearages from a Pennsylvania inmate, does the inmate's "income" include monetary gifts sent to the inmate and available to the inmate for discretionary purchases?
- b. Is Appellant's Administrative Directive 005, pertaining to the collection of inmate debt, reasonably related to legitimate penological interests and necessary to ensure that the repayment of inmate debt occurs systematically?

- Is Appellee entitled to equitable relief where: a) he has not c. availed himself of the civil remedy to suspend, modify or terminate his child support order; and, b) he does not come before the court with "clean hands?"
- d. If, in fact, Appellant incorrectly collected money for child support arrearages, should any relief the Court deems appropriate be prospective only because Appellant has already forwarded the money to Pennsylvania's collection agency?

WHEREFORE, Appellant / Respondent respectfully requests this Court to treat the notice of appeal in this case as a direct appeal and one granted as a matter of right.

Respectfully submitted,

Office of General Counsel

By:

Timothy I. Mark Deputy Chief Counsel PA Attorney I.D. No. 27758 Pennsylvania Department of Corrections 55 Utley Drive Camp Hill, PA 17011

(717) 731-0444

Dated: June 25, 2007

## IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

KEITH FISHER,

Petitioner / Appellee,

No. MAP 2007

(Cmwlth Ct. No. 514 M.D. 2005) v.

**COMMONWEALTH OF** 

PENNSYLVANIA, DEPARTMENT

OF CORRECTIONS,

Respondent / Appellant

# **CERTIFICATE OF SERVICE**

I hereby certify that I am this day depositing in the U.S. mail a true and correct copy of the foregoing Jurisdictional Statement upon the person(s) in the above-captioned matter.

# Service by first-class mail Addressed as follows:

Honorable Dan Pellegrini Keith Fisher, FG-5257

Commonwealth Court of Pennsylvania **SRCF-Mercer** 

624 Irvis Office Building 801 Butler Pike Harrisburg, PA 17120 Mercer, PA 16137

Michael Krimmel, Court Administrator Rebecca Toner, Court Reporter

Cmwlth. Ct. of Pennsylvania Cmwlth. Ct. of Pennsylvania 624 Irvis Office Building 624 Irvis Office Building Harrisburg, PA 17120 Harrisburg, PA 17120

Stacy M. Jarvis

Clerical Supervisor 2

Pennsylvania Department of Corrections

55 Utley Drive

Camp Hill, PA 17011

(717) 731-0444 Dated: June 25, 2007

Case 1:05-cv-00125-SJM-SPB Document 86-2 Filed 07/19/2007 Page 32 of 55

# **EXHIBIT D**

BUREAU	PRINT T	UTER SER IME 14:2	VICES PARTIAL ACCOUNT LIS	TING D	UN IAS365 ATE 7/18/2007 AGE 1
NU	MATE N MBER L 5954 C		FIRST M CASSIUS	II ST	ARTING BALANCE
BATCH	DATE	!		<b>ጥ</b> D እ እናረ እ <u>ረ</u> ጥተ ረእና	DAI XXI/ID A DOUD
#	MO DY Y		TRANSACTION DESCRIPTION	AMOUNT	BALANCE AFTER TRANSACTION
1400	10-07-2	004 13	PERSONAL GIFT FROM SMITH, WILLIAM	40.00	40.07
1400	10-07-2	004 60			40.03
1403	10-07-2	004 10			39.72
1416	10-07-2	004 37		47.88	87.60
8288	10-14-2	004 32	CHILD SUPPORT SCDU721500097 GRE COMMISSARY	5 -24.00	63.60
1448	10-18-2	004 37	FOR 10/14/2004 POSTAGE	-42.54	21.06
			US MAIL	78	20.28
1453	10-19-2		US MAIL	-1.01	19.27
8294	10-20-2	004 32	GRE COMMISSARY FOR 10/20/2004	-1.32	17.95
1479	10-26-2	004 13	PERSONAL GIFT FROM THOMAS, MAURICE	25.00	42.95
1482	10-26-2	004 37	POSTAGE US MAIL	-1.01	41.94
8300	10-26-2	004 34	GRE CABLE TV	-1.01	41.74
8301	10-27-2	004 32	FOR 10/26/2004 GRE COMMISSARY	-17.62	24.32
8309	11-04-2		FOR 10/27/2004 GRE COMMISSARY	-21.66	2.66
			FOR 11/04/2004	-2.59	.07
1531	11-08-2		oct wages	52.92	52.99
1540	11-08-2	004 37	POSTAGE CHILD SUPPORT	-24.00	28.99
8314	11-09 <b>-</b> 2	004 32	GRE COMMISSARY FOR 11/09/2004	-27.62	1.37
1602	11-22-2	004 10	MAINTENANCE PAYROLL NOV WAGES	32.76	34.13
1603	11-22-2	004 37	POSTAGE UPS - SCI FOREST	-10.87	23.26
0	11-23-2	004 82	TRANSFER OUT	-10.07	23.20
0	11-23-2	004 81			
8334	11-29-2	004 32		2.4.50	0.56
18	11-30-2	004 13		-14.70	8.56
			JACKSON, AVANALU G611	.940 25.00	33.56

# 

BUREAU	T. OF CORRE OF COMPUTE PRINT TIME	R SER	VICES PARTIAL ACCOUNT LISTING		RUN IAS365 DATE 7/18/2007 PAGE 2
NU	MATE NAME MBER LAST 5954 CLAY		FIRST MI CASSIUS		
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	N BALANCE AFTER TRANSACTION
8336	12-01-2004	32	FRS COMMISSARY FOR 12/02/2004	-33.43	.13
8337	12-02-2004	86	FRS COMMISSARY CR	-22.42	. 13
0337	12 02 2001	32	FOR 12/02/2004	.44	.57
0	12-06-2004		TRANSFER OUT FOREST	• * *	.57
0	12-06-2004		TRANSFER IN GREENSBURG		
1648	12-06-2004		MISCELLANEOUS		
			UPS REFUND	1.00	1.57
0	12-06-2004	82			2.07
			GREENSBURG		
0	12-06-2004	81	TRANSFER IN		
			FOREST		
9343	12-08-2004	10	INMATE EMPLOYMENT		
			FRS PAYROLL 2004 - 11 GRP 1	2.16	3.73
8343	12-08-2004	86	FRS COMMISSARY CR	2.10	2.73
		32	FOR 12/08/2004	2.24	5.97
30	12-09-2004		PERSONAL GIFT FROM		3.57
			CLAY, MARLENE G657817	9.00	14.97
32	12-09-2004	40	FINES/DAMAGES	2100	22.57
			CHILD SUPPORT	43	14.54
34	12-10-2004	37	POSTAGE	. 10	11.04
				-6.92	7.62
8349	12-14-2004	32	FRS COMMISSARY	<b></b>	, 102
			FOR 12/14/2004	-7.55	.07
8358	12-23-2004	86	FRS COMMISSARY CR		
<b></b>		32	FOR 12/23/2004	1.74	1.81
			BALANCE AFTER THESE TRANSACTION	ONS>	1.81

BUREAU	PT. OF CORRE( J OF COMPUTE) E PRINT TIME	SER	VICES PARTIAL ACCOUNT LISTIN	G	RUN IAS365 DATE 7/18/2007 PAGE 1
N	MATE NAME JMBER LAST Q5954 CLAY		FIRST MI CASSIUS	S'	TARTING BALANCE
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	N BALANCE AFTER TRANSACTION
76	01-03-2005	13		25.00	26.81
8004	01-04-2005	32	FRS COMMISSARY FOR 1/04/2005	-25.60	• "
82	01-05-2005	41	MEDICAL 12/20/04	-4.00	-2.79
9007	01-07-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2004 - 12 GRP 1	16.56	13.77
8011	01-11-2005	32	FRS COMMISSARY FOR 1/11/2005	<b>-</b> 13.23	.54
118	01-14-2005	13	PERSONAL GIFT FROM OLOSKI, ROMAN G616762	10.00	10.54
142	01-24-2005	41	MEDICAL 12/20/04	-4.00	6.54
8025	01-25-2005	32	FRS COMMISSARY FOR 1/25/2005	-6.10	.44
9038	02-07-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 01 GRP 1	14.40	14.84
8039	02-08-2005		FRS COMMISSARY FOR 2/08/2005	42	14.42
8049	02-18-2005	32	FRS COMMISSARY CR FOR 2/18/2005	.42	14.84
8049	02-18-2005	86 32	FRS COMMISSARY CR FOR 2/18/2005	.42	15.26
8049	02-18-2005	86 32	FRS COMMISSARY CR FOR 2/18/2005	.42	15.68
8055	02-24-2005			-15.25	.43
8060	03-01-2005		FRS COMMISSARY FOR 3/01/2005	39	.04
9066 <b>25</b> 2	03-07-2005	10 14	INMATE EMPLOYMENT FRS PAYROLL 2005 - 02 GRP 1 MISCELLANEOUS	13.68	13.72
8067	03-07-2005	32	REFUND DOUBLE BILL 12/20/04 FRS COMMISSARY	4.00	17.72
292	03-16-2005	13	FOR 3/08/2005 PERSONAL GIFT FROM	-17.49	.23
315	03-21-2005	38	THOMAS, MARIE G311403 INSIDE PURCHASES	60.00	60.23
8081	03-22-2005	32	VENDA CARD FRS COMMISSARY	-5.00	55.23
326	03 -24 -2005	13	FOR 3/22/2005	-42.81	12.42
			G310841	15.00	27.42

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INMATE NAME NUMBER LAST DQ5954 CLAY	FIRST MI CASSIUS	
BATCH DATE # MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION BALANCE AFTER AMOUNT TRANSACTION
8087 03-28-2005 34	FRS CABLE TV FOR 3/28/2005	-15.25 12.17
	BALANCE AFTER THESE TRANSACTI	ONS> 12.17

BUREAU	PT. OF CORRECT OF COMPUTER PRINT TIME	SER	VICES PARTIAL ACCOUNT LISTING	G DATE 7/18/200	
NU	MATE NAME MBER LAST 25954 CLAY		FIRST MI CASSIUS	STARTING BALANC 12.17	Έ
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION BALANCE AFTE AMOUNT TRANSACTION	
809 <b>4</b>	04-04-2005	32	FRS COMMISSARY FOR 4/04/2005 INMATE EMPLOYMENT	-11.77 .40	
9095	04-05-2005	10	FRS PAYROLL 2005 - 03 GRP 1	16.56 16.96	
8101	04-11-2005	32	FRS COMMISSARY FOR 4/12/2005	-7.47 9.49	
8101	04~11-2005	32	FRS COMMISSARY FOR 4/12/2005	-1.07 8.42	
8108	04-18-2005	32	FRS COMMISSARY FOR 4/18/2005	-3.42 5.00	
432	04-18-2005	37	POSTAGE	-1.32 3.68	
432	04-18-2005	37	POSTAGE	-1.28 2.40	
432	04-18-2005	37	POSTAGE	1.28 1.12	
446	04-20-2005	13	PERSONAL GIFT FROM		
8115	04-25-2005	32	SMITH, WILLIAM G310955 FRS COMMISSARY		
8115	04-25-2005	34	FOR 4/25/2005 FRS CABLE TV	-11.96 19.16	
8122	05-02-2005	32	FOR 4/25/2005 FRS COMMISSARY	-15.25 3.91	
5 <b>1</b> 0	05-03-2005	37	FOR 5/02/2005 POSTAGE	-3.87 .04	
510	05-03-2005	37	POSTAGE	~1.35 -1.31	
510	05-03-2005			-1.37 -2.68	
9125	05-05-2005	10	INMATE EMPLOYMENT	83 -3.51	
			FRS PAYROLL 2005 - 04 GRP 1	15.12 11.61	
560	05-16-2005	41	MEDICAL 5-9-05	-4.00 7.61	
573	05~17-2005	39	LEGAL FEES PA SCDU - CHILD SUPPORT	-3.02 4.59	
596	05~23-2005	37	POSTAGE	~3.53 1.06	
81 <b>4</b> 3	05-23-2005	32	FRS COMMISSARY FOR 5/23/2005	-4.34 -3.28	
655	06-02-2005	37	POSTAGE	-5.30 -8.58	
9154	06-03-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 05 GRP 1	10.80 2.22	

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NU	MATE NAME MBER LAST 5954 CLAY		FIRST CASSIUS	MI		
BATCH #	DATE MO DY YEAR	TRAN	SACTION DESCRIPTI	ON	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
9154	06-03-2005		TE EMPLOYMENT PAYROLL 2005 - 05	GRP 1	15.12	17.34
666	06-06-2005	39 LEGA	L FEES		<b>~5.00</b>	12.34
8164	06-13-2005	CHIL 32 FRS	COMMISSARY	1975		
0171	06-20-2005	FOR 32 FRS	6/13/2005 COMMISSARY		-9.08	3.26
8171	06-20-2005	FOR	6/20/2005		-3.22	.04
		ВА	LANCE AFTER THESI	TRANSACTIO	ONS>	.04

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NU	MATE NAME MBER LAST 5954 CLAY		FIRST MI CASSIUS	ŞTZ	ARTING BALANCE
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
9187	07-06 <b>-</b> 2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 06 GRP 1	5.04	5.08
9187	07-06-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 06 GRP 1	35.28	
842	07-07-2005	39	LEGAL FEES CHILD SUPPORT 7215000975	-5.00	40.36
850	07-08-2005	37	POSTAGE		35.36
8192	07-11-2005	32	FRS COMMISSARY	-1.98	33.38
9194	07-13 <b>-</b> 2005	10	FOR 7/11/2005 INMATE EMPLOYMENT	-13.73	19.65
	,		FRS PAYROLL 2005 - 07 GRP 1	2.52	22.17
893	07-1 <b>7-</b> 2005	13	PERSONAL GIFT FROM UNKNOWN H319119	10.00	32.17
8199	07-18-2005	32	FRS COMMISSARY FOR 7/18/2005	-2.10	30.07
8206	07-25-2005	32	FRS COMMISSARY		
8206	07-25 <b>-</b> 2005	86	FOR 7/25/2005 FRS COMMISSARY CR	-21.55	8.52
935	07-25-2005	32 37	FOR 7/25/2005 POSTAGE	6.80	15.32
				~3.53	11.79
943	07-27-2005	37	POSTAGE	~3.95	7.84
8213	08-01-2005	32	FRS COMMISSARY FOR 8/01/2005	-7.74	.10
9216	08-04-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 07 GRP 1	50.40	50.50
1007	08-05-2005	39	LEGAL FEES		
8227	08-15-2005	32	CHILD SUPPORT 7215000975 FRS COMMISSARY	-5.00	45.50
1077	08-17-2005	13	FOR 8/15/2005 PERSONAL GIFT FROM	-27.02	18.48
		_	THOMAS, MAURICE H494186	25.00	43.48
8234	08-22-2005	32	FRS COMMISSARY FOR 8/22/2005	-17.24	26.24
1114	08-2 <b>4-</b> 2005	37	POSTAGE	-1.92	24.32
1118	08-24-2005	37	POSTAGE		
1133	08-26-2005	37	\ POSTAGE	-1.98	22.34
8241	08-29-2005	32	FRS COMMISSARY	-1.98	20.36
-			FOR 8/29/2005	-6.08	14.28

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NÜ		ME ST AY	FIRST MI CASSIUS		
BATCH #	DATE MO DY YE	AR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8249	09-06-20	05 32	FRS COMMISSARY	7. 63	4 05
9251	09-08-20	005 10	FOR 9/06/2005 INMATE EMPLOYMENT	-7.61	6.67
1220	09-09-20	05 39	FRS PAYROLL 2005 - 08 GRP 1 LEGAL FEES	57.96	64.63
8255	09-12 <b>-</b> 20	005 32	CHILD SUPPORT 7215000975 FRS COMMISSARY	-5.00	59.63
8262	09-19-20	05 32	FOR 9/12/2005 FRS COMMISSARY FOR 9/19/2005	-2.08	57.55
8269	09-26-20	005 32	FRS COMMISSARY FOR 9/26/2005	-10.22 -2.05	47.33
8271	09-28-20	05 34	FRS CABLE TV	-15.25	45.28
			FOR 9/28/2005  BALANCE AFTER THESE TRANSACTION		30.03 30.03

PA DEPT. OF CORRECTIONS

INMATE ACCOUNTS SYSTEM

RUN

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BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING DATE 7/18/2007 REMOTE PRINT TIME 14:29 FROM PURGE FILE PAGE NAME INMATE FIRST LAST MI NUMBER STARTING BALANCE DO5954 CLAY CASSIUS 30.03 BATCH DATE TRANSACTION BALANCE AFTER TRANSACTION DESCRIPTION # MO DY YEAR AMOUNT TRANSACTION 8276 10-03-2005 32 FRS COMMISSARY FOR 10/03/2005 -6.49 23.54 9279 10-06-2005 10 INMATE EMPLOYMENT FRS PAYROLL 2005 - 09 GRP 1 56.70 80.24 1383 10-06-2005 39 LEGAL FEES CHILD SUPPORT 7215000975 -5.00 75.24 8284 10-11-2005 32 FRS COMMISSARY FOR 10/11/2005 -7.97 67,27 8291 10-18-2005 32 FRS COMMISSARY FOR 10/18/2005 -1.24 66.03 1461 10-20-2005 30 PERSONAL GIFT TO TAWNYA THOMAS -40.00 26.03 8297 10-24-2005 32 FRS COMMISSARY FOR 10/24/2005 -5.95 20.08 FRS CABLE TV 8299 10-26-2005 34 FOR 10/26/2005 -15.25 4.83 13 PERSONAL GIFT FROM 1508 10-27-2005 ROMANSLI, E. H520168 15.00 19.83 32 FRS COMMISSARY 8304 10-31-2005 FOR 10/31/2005 -19.78 .05 8304 10-31-2005 86 FRS COMMISSARY CR FOR 10/31/2005 32 2.48 2.53 13 11-02-2005 PERSONAL GIFT FROM 1541 H546816 THOMAS, MAURICE 25.00 27.53 INMATE EMPLOYMENT 9307 11-03-2005 10 FRS PAYROLL 2005 - 10 GRP 1 50.40 77.93 11-04-2005 39 LEGAL FEES 1558 CHILD SUPPORT 7215000975 -5.00 72.93 8311 11-07-2005 32 FRS COMMISSARY FOR 11/07/2005 -43.30 29.63 1580 11-07-2005 37 POSTAGE -1.<del>9</del>3 27.70 37 1587 11-08-2005 POSTAGE -2.90 24.80 FRS COMMISSARY 32 8318 11-14-2005 FOR 11/14/2005 -9.13 15.67 1622 11-15-2005 PERSONAL GIFT FROM SMITH, WILLIAM H061436 30.00 45.67 1638 11-17-2005 37 POSTAGE -4.75 40.92 11-17-2005 37 POSTAGE 1638 -1.06 39.86 8325 11-21-2005 32 FRS COMMISSARY -24.60 FOR 11/21/2005 15.26

#### Case CII: 073-7658-T00125-SJM-SPB: 81D-062/Jmfel Aft 86-2 Filed 1677-109720077: 24 Page 42 ldf 55

PA DEPT. OF CORRECTIONS BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 14:29

INMATE ACCOUNTS SYSTEM FROM PURGE FILE

RUN IAS365 DATE 7/18/2007 PAGE 2

NAME INMATE FIRST MΙ LAST NUMBER CLAY CASSIUS DQ5954

BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8325	11-21-2005	86 32	FRS COMMISSARY CR FOR 11/21/2005	.15	15.41
8326	11-22-2005	34	FRS CABLE TV FOR 11/22/2005	-15.25	2.5
1671	11-23-2005	13	PERSONAL GIFT FROM	*15.25	.16
1692	11-29-2005	37	CLAY, MARLENE H457204 POSTAGE	50.00	50.16
				83	49.33
8333	11-29-2005	32	FRS COMMISSARY FOR 11/29/2005	-28.23	21.10
1704	12-01-2005	37	POSTAGE		
1714	12-02-2005	13	PERSONAL GIFT FROM	-1.98	19.12
0220	10 05 0005	22	CLAY, MARLENE H488380 FRS COMMISSARY	20.00	39.12
8339	12-05-2005	32	FOR 12/05/2005	-7.80	31.32
9341	12-07-2005	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 11 GRP 1	49.14	20.45
1736	12-07-2005	39	LEGAL FEES		80.46
1755	12-09-2005	30	CHILD SUPPORT 7215000975 PERSONAL GIFT TO	-5.00	75.46
± , → →		-	THOMAS, TAWNYA	-50.00	25.46
83 <b>4</b> 6	12-12-2005	32	FRS COMMISSARY FOR 12/12/2005	-10.17	15.29
8362	12-28-2005	34	FRS CABLE TV		
			FOR 12/28/2005	-15.25	.04
			BALANCE AFTER THESE TRANSACTI	ONS>	.04

BUREAU	T. OF CORRECT OF COMPUTER PRINT TIME	SER	VICES PARTIAL ACCOUNT LISTING	D.	UN IAS365 ATE 7/18/2007 AGE 1
NU	MATE NAME MBER LAST 25954 CLAY		FIRST MI CASSIUS	ST	ARTING BALANCE .04
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
9005	01-05-2006	10	INMATE EMPLOYMENT FRS PAYROLL 2005 - 12 GRP 1	68.04	68.08
1927	01-06-2006	39	LEGAL FEES CHILD SUPPORT 7215000975	-5.00	63.08
8009	01-09-2006	32	FRS COMMISSARY FOR 1/09/2006	-47.78	15.30
8025	01-25-2006	34	FRS CABLE TV FOR 1/25/2006	-15.25	.05
9037	02-06-2006	10	INMATE EMPLOYMENT FRS PAYROLL 2006 - 01 GRP 1	68.88	68.93
2116	02-07-2006	39	LEGAL FEES CHILD SUPPORT #7215000975	-5.00	63.93
2117	02-07-2006	37	POSTAGE SUPERIOR COURT OF PA	-1.59	62.34
8039 8046	02-08-2006 02-15-2006	32 32	FRS COMMISSARY FOR 2/08/2006 FRS COMMISSARY	-48.59	13.75
8054	02-13-2006	32	FOR 2/15/2006 FRS COMMISSARY	-2.16	11.59
2229	02-23-2006	3 <b>7</b>	FOR 2/23/2006 POSTAGE	-1.30	10.29
2246	02-28-2006	37	JOHN VASKOV, ESQ POSTAGE	-4.20	6.09
2254	03-01-2006	13	MICHAEL STRILY ESQ PERSONAL GIFT FROM	-1.35	4.74
8061	03-02-2006	32	CLAY, M J110101 FRS COMMISSARY	20.00	24.74
9065	03-06-2006	10	FOR 3/02/2006 INMATE EMPLOYMENT	-9.32	15.42
2288	03-07-2006	39	FRS PAYROLL 2006 - 02 GRP 1 LEGAL FEES	56.70	72.12
8067	03-08-2006	32	CHILD SUPPORT #7215000975 FRS COMMISSARY	-5.00	67.12
2337	03-14-2006	13	FOR 3/08/2006 PERSONAL GIFT FROM J258821	-66.71	.41
2403	03-22-2006	37	POSTAGE LEGAL	40.00 -4.05	40.41 36.36
8081	03-22-2006	32	FRS COMMISSARY FOR 3/22/2006	-23.87	12.49
8089	03-30-2006	32	FRS COMMISSARY FOR 3/30/2006	-8.59	3.90
			BALANCE AFTER THESE TRANSACTION		3.90

BUREAU	T. OF CORRECT OF COMPUTER PRINT TIME	SER	S INMATE ACCOUNTS SYSTEM VICES PARTIAL ACCOUNT LISTING 9 FROM PURGE FILE	RI Di Pi	UN IAS365 ATE 7/18/2007 AGE 1
NU	MATE NAME MBER LAST 25954 CLAY		FIRST MI CASSIUS	ST	ARTING BALANCE 3.90
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8095	04-05-2006	32		-3.88	.02
9096	04-06-2006	10			
2509	04-07-2006	39			
2518	04-07-2006	37		1	55.17
8102	04-12-2006	32	FRS COMMISSARY FOR 4/12/2006	-35.16	20.01
2569	04-14-2006	37	POSTAGE OFFICE OF THE CLK SUPREME CRT	3	18.07
2569	04-14-2006	37	POSTAGE MICHAEL STRILY, ESQ	-1.89	16.18
2 <b>571</b>	04-17-2006	13	PERSONAL GIFT FROM THOMANS, M. J258000		41.18
2591	04-19-2006	37	POSTAGE LEGAL - STREILY, MICHAEL D.A.		38.50
8116	04-26-2006	32	FRS COMMISSARY FOR 4/26/2006	-22.08	16.42
8117	04-27-2006	34	FRS CABLE TV FOR 4/27/2006	-15.75	.67
9124	05-04-2006	10	INMATE EMPLOYMENT FRS PAYROLL 2006 - 04 GRP 1	57.96	58.63
2711	05-05-2006		CHILD SUPPORT #7215000975	-5.00	53.63
8130	05-10-2006 05-17 <b>-</b> 2006	32 32		-44.38	9.25
8137 2821	05-22-2006	37	FOR 5/17/2006 POSTAGE	-9.10	.15
2919	06-06-2006	37	PROPERTY MARLENE CLAY POSTAGE	-8.95	-8.80
9157	06-06-2006	10	INMATE EMPLOYMENT	-2.55	-11.35
2937	06-07-2006	39	FRS PAYROLL 2006 - 05 GRP 1 LEGAL FEES	65.52	54.17
8158	06-07-2006	32	CHILD SUPPORT 7215000975 FRS COMMISSARY	-5.00	49.17
8158	06-07-2006	32	FOR 6/07/2006 FRS COMMISSARY	-53.83	-4.66
3007	06-19-2006	13	FOR 6/07/2006 PERSONAL GIFT FROM	.00	-4.66
			CLAY, SHAQUA J112075	20.00	15.34

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BUREAU	T. OF CORRECT OF COMPUTED PRINT TIME	R SERVICES	INMATE ACC PARTIAL ACC FROM PU		D.	UN IAS365 ATE 7/18/2007 AGE 2
NU	MATE NAME MBER LAST 15954 CLAY		FIRST CASSIUS	MI		
BATCH #	DATE MO DY YEAR	TRANS	ACTION DESCRIP	TION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
3033	06-21-2006		NAL GIFT FROM MARLENE	T110100	10.00	<b>A</b> 5
3050	06-22-2006	13 PERSO	NAL GIFT FROM	J112120	10.00	25.34
3082	06-27-2006	•	JEANINE NAL GIFT FROM	J116076	10.00	35.34
3085	06-27-2006	CAMPE 37 POSTA	ELL, LATURA	J114178	65.00	100.34
2002	00-27-2000	0, 10011	US DISTRICT C	OURT, ERIE	-2.07	98.27
8179	06-28-2006		OMMISSARY			<u> </u>
3103	06-29-2006		6/28/2006 NAL GIFT FROM		-69.87	28.40
	, _,		ON, DELOIS	J112507	25.00	53.40
	··	BAL	ANCE AFTER THE	SE TRANSACTIO	ONS>	53.40

BUREAU	T. OF CORRECT OF COMPUTER PRINT TIME	SER	VICES PARTIAL ACCOUNT LISTING	Ď.	UN IAS365 ATE 7/18/2007 AGE 1
NU	MATE NAME MBER LAST 5954 CLAY		FIRST MI CASSIUS	ST	ARTING BALANCE 53.40
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
9186	07-05-2006	10	INMATE EMPLOYMENT FRS PAYROLL 2006 - 06 GRP 1	CD 04	707 44
8187	07-06-2006	32	FRS COMMISSARY		121.44
3172	07-07-2006	39	FOR 7/06/2006 LEGAL FEES	-20.23	101.21
3178	07-10-2006	31	CHILD SUPPORT 7215000975 OUTSIDE PURCHASES	-5.00	96.21
8193	07-12-2006	32	ACCESS SECUREPAK FRS COMMISSARY	-54.00	42.21
3312	07-25-2006	13	FOR 7/12/2006 PERSONAL GIFT FROM	-26.16	16.05
8207	07-26-2006	32	SCOTT, LORI J233387 FRS COMMISSARY	65.00	81.05
			FOR 7/26/2006	-14.67	66.38
8207	07-26-2006	34	FRS CABLE TV FOR 7/26/2006	-15.75	50.63
8214	08-02-2006	32	FRS COMMISSARY FOR 8/02/2006	-49.75	.88
9215	08-03-2006	10	INMATE EMPLOYMENT FRS PAYROLL 2006 - 07 GRP 1	60.48	61.36
3391	08-07-2006	3 <b>7</b>	POSTAGE RETURN PACKAGE TO ACCESS SECUR		59.05
3417	08-09-2006	39	LEGAL FEES CHILD SUPPORT		
3416	08-09-2006	13	PERSONAL GIFT FROM	-5.00	54.05
8221	08-09-2006	32	CLAY-SEWELL, TEMPNA J234457 FRS COMMISSARY		64.05
3478	08-15-2006	37	FOR 8/09/2006 POSTAGE	-29.74	34.31
8228	08-16-2006	32	LEGAL/US DISTRICT CT, ERIE, PA FRS COMMISSARY	24	34.07
	08-23-2006	32	FOR 8/16/2006 FRS COMMISSARY	-7.14	26.93
8235			FOR 8/23/2006	66	26.2 <b>7</b>
8235	08-23-2006	34	FRS CABLE TV FOR 8/23/2006	-15.75	10.52
3554	08-24-2006	14	MISCELLANEOUS REFUND/ACCESS SECUREPAK	2.30	12.82
8242	08-30-2006	32	FRS COMMISSARY FOR 8/30/2006	-10.90	1.92
8242	08~30-2006	32	FRS COMMISSARY FOR 8/30/2006	-1.45	.47
3604	08-31-2006	13	PERSONAL GIFT FROM JACKSON, A J359721		40.47
			522223427, 17	20.00	,

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BUREAU	T. OF CORR. OF COMPUT: PRINT TIM	ER SER	VICES PARTIAL ACCOUNT LISTING		RUN IAS365 DATE 7/18/2007 PAGE 2
NU	MATE NAM MBER LAS' 5954 CLA	Γ	FIRST MI CASSIUS		
BATCH #	DATE MO DY YEA	R	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	ON BALANCE AFTER TRANSACTION
9249	09-06-200	<b>5</b> 10	INMATE EMPLOYMENT		
0250	00 07 000	ر م	FRS PAYROLL 2006 - 08 GRP 1	74.34	114.81
8250	09-07-200	5 32	FRS COMMISSARY FOR 9/07/2006	-81.38	33.43
3684	09-12-200	5 39	LEGAL FEES	-01.10	33.43
			CHILD SUPPORT	-5.00	28.43
8256	09-13-200	5 32	FRS COMMISSARY		
3756	09-19-200	5 37	FOR 9/13/2006 POSTAGE	-12.36	16.07
2/20	03-13-200	ו ב	LEGAL/US DISTRICT CT, PITTSB	-1.59	14.48
3762	09-20-200	5 13	PERSONAL GIFT FROM	1.22	14.40
			CLAY, MARLENE J359475	15.00	29.48
8263	09-20-200	5 32	FRS COMMISSARY		
3805	09-26-200	5 37	FOR 9/20/2006 POSTAGE	-2.69	26.79
2002	0.5*20-200	3 31	FOSTAGE	-4.20	22.59
8270	09-27-200	5 32	FRS COMMISSARY	1.20	22.33
			FOR 9/27/2006	-3.44	19.15
8270	09-27-200	5 34	FRS CABLE TV		
	•		FOR 9/27/2006	-15.75	3.40
		•	BALANCE AFTER THESE TRANSACTI	ONS>	3.40

BUREAU REMOTE	PRINT TIME	R SER 14:2	VICES PARTIAL ACCOUNT LISTING	DA	IN IAS365 ATE 7/18/2007 AGE 1
NU.	MATE NAME MBER LAST 5954 CLAY		FIRST MI CASSIUS	STA	RTING BALANCE 3.40
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
3847	10-03-2006	37			
3847	10-03-2006	37	LEGAL/JEFFERY BEARD POSTAGE		-2.92
9277	10-04-2006	10	LEGAL/RAYMOND SOBINA INMATE EMPLOYMENT	-5.60	-8.52
3901	10-11-2006	39	FRS PAYROLL 2006 - 09 GRP 1 LEGAL FEES	57.96	49.44
3907	10-11-2006	<b>3</b> 7	CHILD SUPPORT POSTAGE	-5.00	44.44
8285	10-12-2006		UPS/727 JOHNSTON AVE, PGH FRS COMMISSARY	-11.92	32.52
8291	10-18-2006		FOR 10/12/2006 FRS COMMISSARY	-16.29	16.23
			FOR 10/18/2006	-8.14	8.09
4013	10-25-2006		POSTAGE LEGAL/CRAIG MARAVICH, ESQ	87	7.22
4019	10-25-2006	13	PERSONAL GIFT FROM CLAY, MARLENE J358009	20.00	27.22
8298	10-25-2006	32	FRS COMMISSARY FOR 10/25/2006	-3.95	23.27
8298	10-25-2006	34	FRS CABLE TV FOR 10/25/2006	-15.75	7.52
4034	10-26-2006	37			6.41
4047	10-27-2006	37	POSTAGE		•
8305	11-01-2006	32	FRS COMMISSARY	-2.55	3.86
9307	11-03-2006	10	FOR 11/01/2006 INMATE EMPLOYMENT	-3.65	.21
4111	11-06-2006	13	FRS PAYROLL 2006 - 10 GRP 1 PERSONAL GIFT FROM	59.22	59.43
4121	11-07-2006		THOMAS, MAURICE J355128 POSTAGE	25.00	84.43
4121	11-07-2006		LEGAL/US W.D. COURT, ERIE, FA POSTAGE	-1.83	82.60
			PERSONAL GIFT TO	-6.65	75.95
4126	11-08-2006		TAWNYA THOMAS	-10.00	65.95
8312	11 <b>-</b> 08-2006		FRS COMMISSARY FOR 11/08/2006	-59.76	6.19
8312	11-08-2006	32	FOR 11/08/2006	1.31	7.50
4158	11-14-2006	39	LEGAL FEES CHILD SUPPORT	-5.00	2.50

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BUREAU	T. OF CORREC OF COMPUTER PRINT TIME	SER	INMATE ACCOUNTS SYSTEM VICES PARTIAL ACCOUNT LISTING FROM PURGE FILE		RUN IAS365 DATE 7/18/2007 PAGE 2
NU	MATE NAME MBER LAST 5954 CLAY		FIRST MI CASSIUS		
BATCH	DATE `			TRANSACTIO	N BALANCE AFTER
#	MO DY YEAR			AMOUNT	TRANSACTION
4163	11-14-2006	37	POSTAGE LEGAL US DISTRICT COURT	-1.83	.67
4296	12-05-2006	13		-	
9341	12-07-2006	10	CLAY, MARLENE J237831 INMATE EMPLOYMENT	25.00	25.67
			FRS PAYROLL 2006 - 11 GRP 1	60.48	86.15
4340	12-12-2006		POSTAGE LEGAL US DISTRICT COURT W.D.	-1.83	84.32
8347	12-13-2006	32	FRS COMMISSARY FOR 12/13/2006	-67.22	17.10
4362	12-14-2006	37	POSTAGE DISTRICT ATTORNEY OFFICE		
4362	12-14-2006	37	POSTAGE		
4362	12-14-2006	37	DISTRICT ATTORNEY OFFICE POSTAGE	-2.31	13.44
4377	12-18-2006	37	DEPUTY ATT GENERALS OFFICE POSTAGE	-2.31	11.13
			•	87	10.26
4377	12-18-2006	37	POSTAGE LEGAL DEPUTY PROTHONOTARY	-5.60	4.66
8354	12-20-2006	86	FRS COMMISSARY CR	•	
4396	12-20-2006	32 37	FOR 12/20/2006 POSTAGE	.15	4.81
				24	4.57
4396	12-20-2006	37	POSTAGE	-1.35	3.22
4396	12-20-2006	37	POSTAGE	39	2.83
4403	12-22-2006	37	POSTAGE	-1.11	
	# 0 . O. O	20	FRS COMMISSARY	~1.11	1.12
8361	12-27-2006	32	FOR 12/27/2006	59	1.13
			BALANCE AFTER THESE TRANSACT	ONS>	1.13

BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 14:29 FROM PURGE FILE RUN IAS365 DATE 7/18/2007 PAGE NAME INMATE MI FIRST NUMBER LAST STARTING BALANCE DQ5954 CLAY CASSIUS 1.13 BATCH DATE TRANSACTION BALANCE AFTER TRANSACTION DESCRIPTION # MO DY YEAR AMOUNT TRANSACTION 4466 01-04-2007 13 PERSONAL GIFT FROM ILLEGIBLE J529172 20.00 21.13 32 FRS COMMISSARY 8004 01-04-2007 FOR 1/04/2007 -1.08 20.05 10 INMATE EMPLOYMENT 9005 01-05-2007 FRS PAYROLL 2006 - 12 GRP 1 58.80 78.85 39 LEGAL FEES 4483 01-05-2007 CHILD SUPPORT -5.00 73.85 01-09-2007 37 POSTAGE 4498 -.24 73.61 32 FRS COMMISSARY 8010 01-10-2007 FOR 1/10/2007 -47.51 26.10 32 FRS COMMISSARY 01-10-2007 8010 -2.94 FOR 1/10/2007 8010 01-10-2007 32 FRS COMMISSARY FOR 1/10/2007 -.42 22.74 39 LEGAL FEES 01-10-2007 4515 CHILD SUPPORT -11.76 10.98 32 FRS COMMISSARY FOR 1/18/2007 8018 01-18-2007 -3.65 7.33 10 INMATE EMPLOYMENT 9023 01-23-2007 CFRS PAYROLL 2007 - 01 GRP 1 6.72 14.05 32 FRS COMMISSARY 8024 01-24-2007 FOR 1/24/2007 9.56 -4.49 34 FRS CABLE TV 01-25-2007 8025 FOR 1/25/2007 -15.75 -6.1910 INMATE EMPLOYMENT 02-07**-**2007 9038 FRS PAYROLL 2007 - 01 GRP 1 71.40 65.21 8039 02-08-2007 32 FRS COMMISSARY -55.64 9.57 FOR 2/08/2007 13 PERSONAL GIFT FROM 4744 02-14-2007 25.00 34.57 J529453 THOMAS, MAURICE 32 FRS COMMISSARY FOR 2/14/2007 02-14-2007 8045 -6.02 28.55 37 POSTAGE 02-15-2007 4760 MARY FRIEDLINE, ESQ -4.05 24.50 37 POSTAGE 4760 02-15-2007 U.S. DISTRICT COURT W.D. -4.20 20.30 34 FRS CABLE TV 8052 02-21-2007 FOR 2/21/2007 -15.75 4.55 8054 02-23-2007 32 FRS COMMISSARY -3.58 .97 FOR 2/23/2007 4809 02-23-2007 37 POSTAGE -2.07 -1.10

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PA DEPT. OF CORRECTIONS INMATE ACCOUNTS SYSTEM RUN IAS365 BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING 7/18/2007 DATE REMOTE PRINT TIME 14:29 FROM PURGE FILE PAGE INMATE NAME NUMBER LAST FIRST MI CLAY DQ5954 CASSIUS

BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
4845	02-28-2007	14	MISCELLANEOUS		
			STALE DATED CK#6123 THOMAS	10.00	8.90
9066	03-07-2007	10			
2000	02 07 2007	20	FRS PAYROLL 2007 - 02 GRP 1	65.52	74.42
8066	03-07~2007	32	FRS COMMISSARY FOR 3/07/2007	-48.23	06.10
8067	03-08-2007	32	FRS COMMISSARY	-48.23	26.19
0007	03 00 2007	52	FOR 3/08/2007	.00	26.19
4901	03-08-2007	39	LEGAL FEES	.00	20.13
			CHILD SUPPORT	-3.24	22.95
4914	03-09-2007	37			
			CLERK US DISTRICT CT OF PA	~.63	22.32
4925	03-12-2007	13	PERSONAL GIFT FROM		
0.000	00 14 0007	20	BALD, DIOS J241919 FRS COMMISSARY	28.00	50.32
8073	03-14-2007	32	FOR 3/14/2007	-22.47	27.85
4983	03-19-2007	37		~22.47	27.00
4203	03-19-2007	، ر	TIMOTHY LYON ADA, PGH, PA	24	27.61
4983	03-19-2007	86	3 T) TT 1/10TT T) \$ 3/14/TINTO		27.02
		37	INCORRECT POSTING	.24	27.85
4985	03-19-2007	37	POSTAGE		
				24	27.61
4996	03-20-2007	37	POSTAGE		
		4.0	DEDGOVER GILLE EDOM	-10.87	16.74
5047	03-26-2007	13	PERSONAL GIFT FROM CLAY, MARLENE J522657	20.00	36.74
0007	03-28-2007	34	•	20.00	30.74
8087	U3-20-2001	2#	FOR 3/28/2007	-15.75	20.99
				<b>-</b>	
BALANCE AFTER THESE TRANSACTIONS>					20.99

PA DEPT. OF CORRECTIONS

BUREAU OF COMPUTER SERVICES

INMATE ACCOUNTS SYSTEM
PARTIAL ACCOUNT LISTING RUN IAS365 DATE 7/18/2007 REMOTE PRINT TIME 14:29 FROM ACTIVE FILE PAGE INMATE NAME MI FIRST NUMBER LAST STARTING BALANCE CLAY CASSIUS DQ5954 20.99 BATCH DATE TRANSACTION BALANCE AFTER MO DY YEAR TRANSACTION DESCRIPTION Ħ AMOUNT TRANSACTION 5109 04-02-2007 41 MEDICAL MEDICAL 3/26/2007 -8.00 12.99 5114 04-02-2007 37 POSTAGE UPS TO MARLENE CLAY -10.23 2.76 32 FRS COMMISSARY 8093 04-03-2007 FOR 4/03/2007 -2.24 .52

10 INMATE EMPLOYMENT 9094 04-04-2007 FRS PAYROLL 2007 - 03 GRP 1 48.72 49.24 13 PERSONAL GIFT FROM 5164 04-06-2007 CLAY, SHAQUAI J242253 20.00 69.24 39 LEGAL FEES 5180 04-09-2007 CHILD SUPPORT -5.00 64.24 INSIDE PURCHASES 5187 04-10-2007 38 12 COPIES -1.20 63.04 5187 04-10-2007 38 INSIDE PURCHASES 08 COPIES -.80 62.24 5187 04-10-2007 38 INSIDE PURCHASES 12 COPIES -1.20 61.04 5187 04-10-2007 38 INSIDE PURCHASES 08 COPIES -.80 60.24 13 PERSONAL GIFT FROM 5193 04-11-2007 CLAY, MARLENE J240822 20.00 80.24 38 INSIDE PURCHASES 5213 04~12-2007 40 COPIES 04/10/07 -4.00 76.24 5240 04-16-2007 37 POSTAGE -1.59 74.65 32 FRS COMMISSARY 8108 04-18-2007 FOR 4/18/2007 FRS COMMISSARY 15.94 -58.71 04-19-2007 32 8109 .04 FOR 4/19/2007 -15.90 04-19-2007 86 FRS COMMISSARY CR 8109 42.81 42.85 32 FOR 4/19/2007 13 PERSONAL GIFT FROM 5310 04-24-2007 CLAY, MARLENE J524006 20.00 62.85 34 FRS CABLE TV 8115 04-25-2007 FOR 4/25/2007 32 FRS COMMISSARY -15.75 47.10 8116 04-26-2007 FOR 4/26/2007 -22.41 24.69 8120 04-30-2007 86 FRS COMMISSARY CR 32 FOR 4/30/2007 8123 05-03-2007 32 FRS COMMISSARY 1.05 25.74 FOR 5/03/2007 -10.41 15.33 5405 05-03-2007 38 INSIDE PURCHASES -.30 15.03 COPIES

PA DEPT. OF CORRECTIONS BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 14:29

INMATE ACCOUNTS SYSTEM FROM ACTIVE FILE

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INMATE NAME ΜI FIRST LAST NUMBER CASSIUS CLAY DQ5954

DQ	DJD4 CMAT		CUDDIOD		
BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8130	05-10-2007		FRS COMMISSARY FOR 5/10/2007	-4.76	10.27
8131	05-11-2007	32	FRS COMMISSARY CR FOR 5/11/2007	1.68	11.95
8137	05-17-2007	32	FRS COMMISSARY FOR 5/17/2007	-11.47	.48
8137	05-17-2007	86 32	FRS COMMISSARY CR FOR 5/17/2007	1.66	2.14
8144	05-24-2007	32	FRS COMMISSARY FOR 5/24/2007	-2.14	•
5582	05-29-2007	13	PERSONAL GIFT FROM		.00
8151	05-31-2007	32	SEWELL, TEMPRIA J525689 FRS COMMISSARY	10.00	10.00
8152	06-01-2007	86	FOR 5/31/2007 FRS COMMISSARY CR	-9.79	.21
5640	06-04-2007	32 38	FOR 6/01/2007 INSIDE PURCHASES	1.07	1.28
8157	06-06-2007	86	03 COPIES FRS COMMISSARY CR	30	.98
		32	FOR 6/06/2007	1.07	2.05
5671	06-06-2007	38	INSIDE PURCHASES 6 COPIES	60	1.45
8158	06-07-2007	32	FRS COMMISSARY FOR 6/07/2007	-1.44	.01
5848	06-25-2007	13	PERSONAL GIFT FROM GREEN, MICHELLE J234023	120.00	120.01
5858	06-26-2007	13	PERSONAL GIFT FROM THOMAS, MAURICE J233685	30.00	150.01
5858	06-26-2007	85	ADJUST RECEIPT		
5858	06-26-2007	13 13	POSTED INCORRECT AMOUNT PERSONAL GIFT FROM	-30.00	120.01
5862	06-26-2007	33	THOMAS, MAURICE J233685 TELEPHONE	25.00	145.01
5886	06-27 <b>-</b> 200 <b>7</b>	37	EMERGENCY PHONE CALL 01/09/07 POSTAGE	-1.44	143.57
5886	06-27 <b>-20</b> 0 <b>7</b>		POSTAGE	17	143.40
8179	06-28-2007	32	FRS COMMISSARY	34	143.06
			FOR 6/28/2007	-79.21	63.85
8183	07-02-2007	86 32	FRS COMMISSARY CR FOR 7/02/2007	5.35	69.20
5934	07-03-2007	31	OUTSIDE PURCHASES ACCESS SECUREPAK	-53.40	15.80

#### Cases di: Offorese 100125-SJM-SPBx: 8100-0002/mmenut 86-2 Filed 1087/20097: 28 Page 574 20f 55

BUREA	PT. OF CON U OF CON E PRINT	MPUTER	SER	VICES PARTIAL AC	CCOUNTS SYSTEM CCOUNT LISTING ACTIVE FILE	Ē	RUN 1AS365 PATE 7/18/2007 PAGE 3
N		NAME LAST CLAY		FIRST CASSIUS	MI		
BATCH #	DAT MO DY			TRANSACTION DESCRI	PTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
5943	07-03-	-2007	38	INSIDE PURCHASES			
				COPIES		40	15.40
8186	07-05-	-2007	32	FRS COMMISSARY			
				FOR 7/05/2007		- <b>7.</b> 73	7.6 <b>7</b>
8187	07-06-	-2007	86	FRS COMMISSARY CR			
			32	FOR 7/06/2007		4.25	11.92
5979	07-09-	-2007	38	INSIDE PURCHASES			
				8 COPIES	_	80	11.12
6001	07-11-	-2007	13	PERSONAL GIFT FROM	-		
				CLAY, MARLENE	J235976	20.00	31.12
8193	07-12-	-2007	32	FRS COMMISSARY			
				FOR 7/12/2007		-29.93	1.19
8199	07-18-	-2007	86	FRS COMMISSARY CR			
			32	FOR 7/18/2007		2.56	3.75
				BALANCE AFTER TH	HESE TRANSACTIO	ONS>	3.75

# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS



#### **SCI FOREST**

1 Woodland Drive PO Box 307 Marienville, PA 16239-0307

Phone: (814) 621-2110 Fax: (814) 927-8143

#### **FAX TRANSMISSION COVER SHEET**

DATE:

July 18, 2007

TQ:

**Mary Friedline** 

FAX:

412-565-3028

SENDER:

Christina Kennedy

Superintendent's Assistant

YOU SHOULD RECEIVE 23 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (814) 621-2110 Ext 1102.

NOTES:

Attached please find statements/transactions for inmate Clay...

If you have any questions, please do not hesitate to contact me.